

## Message Text

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ORIGIN L-03

INFO OCT-01 AF-06 ISO-00 SCA-01 JUSE-00 CIAE-00 INR-07

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DRAFTED BY L/SFP:LGFIELDS,JR:NMC

APPROVED BY L/SFP:LGFIELDS,JR.

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O 282206Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY DAKAR IMMEDIATE

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E.O. 11652: N/A

TAGS: CPRS, PFOR, SNAR, SG

SUBJECT: U.S. VS. DOMINIQUE ORSINI

REF: DAKAR 6076

1. REFTEL GREATLY APPRECIATED AND DEPT HAS RECEIVED DOCUMENTS DESCRIBED IN REFTEL.

2. DEPT WAS ADVISED OCTOBER 21, 1975 LETTER TO PRESIDENT SENGHOR WAS SIGNED BY PRESIDENT FORD ON THAT DATE. DEPT ASSUMES LETTER DELIVERED TO PRESIDENT SENGHOR BY NOW AND WOULD BE INTERESTED IN EMBASSY'S COMMENTS ON REACTIONS TO LETTER BY INTERESTED SENEGALESE AGENCIES.

3. ORSINI FILED AFFIDAVIT OCTOBER 20, 1975 WITH COURT ALLEGING FOLLOWING:"(1) THAT I AM THE DEFENDANT IN THE ABOVED CAPTIONED MATTER AND MAKE THIS AFFIDAVIT IN SUPPORT OF A MOTION BEFORE THIS COURT DATED SEPTEMBER 29, 1975 REQUESTING DISMISSAL OF THE INDICTMENT IN THE INTEREST OF JUSTICE AND/OR A TOSCANINO HEARING.

(2) THAT I AM A RESTAURANT OWNER IN BUENOS AIRES, ARGENTINA,  
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OF FRENCH NATIONALITY. THAT I LEFT BUENOS AIRES ON

AUGUST 7, 1975 AT 8:00 P.M. ABOARD FLIGHT 96 FOR NICE,  
FRANCE ACCOMPANIED BY MY WIFE AND CHILDREN.

(3) THAT THE PLANE LANDED THE NEXT MORNING AT 7:30 A.M. AT THE AIRPORT IN DAKAR, SENEGAL WHERE THE PASSENGERS WERE TOLD TO EXIT IN ORDER TO EAT. (4) THAT AS I DESCENDED FROM THE PLANE SIX (6) UNIFORMED SENEGALESE POLICE AND TWO AMERICANS IN ORDINARY CLOTHES ARRESTED ME. (5) THAT I REMAINED IN JAIL IN DAKAR FOR ABOUT 17 DAYS. (6) THAT ON AUGUST 23, 1975 AN ORDER WAS ENTERED BY THE INDICTMENT COURT OF THE APPEAL COURT OF DAKAR, SENEGAL DECLARING IRREGULAR MY ARREST, ORDERING THE AUTHORITIES TO SET ME FREE AND TO RETURN MY IDENTIFICATION DOCUMENTS AND MY PROPERTY SEIZED. (7) THAT AFTER MY RELEASE WAS ORDERED BY THE ABOVE MENTIONED COURT, I WAS TAKEN BACK TO JAIL TO GET MY BELONGINGS. AT THAT TIME FOUR (4) SENEGALESE POLICE AND TWO (2) AMERICANS SEIZED ME. I WAS SET FREE SO I REFUSED TO GO WITH THEM. THEY BEAT ME AND HANDCUFFED ME AND TOOK ME TO THE CENTRAL POLICE HEADQUARTERS. THEY THEN PUT ME IN A CELL GUARDED BY FOUR (4) SENEGALESE AND I WAS HELD THERE EXCOMUNICADO. I ASKED TO SEE MY LAWYER, WIFE AND BROTHER WHO WAS IN DAKAR, BUT I WAS TOLD I COULD NOT SEE THEM UNTIL MONDAY (SEPTEMBER 25, 1975). (8) ON SEPTEMBER 25, 1975, AT 2:30 A.M., MY CELL WAS OPENED BY THE GUARD AND HE TOLD ME I WOULD LEAVE TO GO TO AMERICA. I SAID I DID NOT WANT TO GO TO AMERICA. THE GUARD AND THE AMERICANS THEN ATTACKED ME IN MY CELL, BEATING AND KICKING ME AND THEN ONE OF THEM PUSHED ME AGAINST A GLASS PARTITION. MY HAND WAS BADLY CUT AND I WAS BLEEDING PROFUSELY. I BECAME VERY WEAK AND FAINT AND FELL TO THE GROUND. THEY CONTINUED TO BEAT AND KICK ME ALL OVER MY BODY. AFTER A WHILE I WAS DRAGGED OUT BY MY HANDS AND FEET AND TAKEN TO AN EMERGENCY STATION. SOMEONE THERE SAW MY CUT HAND AND I WAS TAKEN TO A HOSPITAL. ON THE WAY TO THE HOSPITAL I WAS CONTINUOUSLY BEATEN ABOUT MY FACE AND BODY. I CRIED FOR HELP AND THEY PUT A HANDKERCHIEF ON MY MOUTH. I WAS EXAMINED BY A DOCTOR AND HE PUT SIX (6) STITCHES IN MY WOUND. HE WANTED TO GIVE ME A TRANSFUSION BUT THE POLICE REFUSED TO ALLOW IT. AN AMERICAN WAS ORDERING THEM NOT TO ALLOW THE BLOOD TRANSFUSION. (9) THAT AFTER LIMITED OFFICIAL USE

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LEAVING THE DOCTOR'S I WAS PLACED BACK INTO THE POLICE TRUCK AND THEY AGAIN CONTINUED TO BEAT ME. I WAS KEPT ON THE FLOOR OF THE TRUCK SO THAT WHEN I ARRIVED AT THE AIRPORT I WAS TAKEN DIRECTLY TO THE PLANE AND DID NOT EVEN GO THROUGH IMMIGRATION. (10) THAT AT THE STAIRS OF THE PLANE I YELLED OUT FOR HELP. FOUR AMERICANS THEN ARRIVED AND WHILE RESISTING THEM I WAS THROWN TO THE GROUND TWICE AS THEY WERE TRYING TO GET ME ABOARD THE

PAN AMERICAN PLANE. THE AMERICAN POLICE THEN HANDCUFFED ME AND ONE TALL, WHITE AGENT STRUCK ME ON THE BACK OF THE HEAD. I CONTINUED TO PROTEST AND WAS SCREAMING THAT I

WAS BEING KIDNAPPED. THE FOUR (4) AMERICANS THEN SAT ME DOWN IN THE PLANE AND I WAS SURROUNDED BY AMERICANS ON ALL SIDES. I WAS GIVEN TWO INJECTIONS BY A BLACK POLICE-MAN, WHO PRETENDED TO BE A DOCTOR. I BECAME VERY GROGGY. THE NEXT THING I REMEMBER, WE ARRIVED IN NEW YORK AND I WAS TAKEN DIRECTLY TO COURT, NEVER PASSING ANY IMMIGRATION AUTHORITIES."

4. OBVIOUSLY THERE ARE NUMEROUS DISTORTIONS OF FACTS, INACCURACIES AND FALSE ASSUMPTIONS. ASSISTANT LEGAL ADVISER FIELDS HAS PREPARED AN AFFIDAVIT CONCERNING THE MANNER IN WHICH ORSINI WAS TURNED OVER TO U.S. AUTHORITIES BY GOS FOR USE IN PRELIMINARY RESPONSES TO EARLIER MOTIONS FILED BY DEFENDANT. FIELDS WILL BE CALLED AS WITNESS TO MATTERS RAISED IN ABOVE CITED AFFIDAVIT AND IT WOULD BE HELPFUL TO HAVE DETAILS CONCERNING VARIOUS TIMES ORSINI WAS TAKEN INTO CUSTODY BY SENEGALESE POLICE, INCLUDING SENIOR SENEGALESE ARRESTING OFFICER'S NAME AND AUTHORITY FOR ARREST.

5. AT INITIAL ARREST AT AIRPORT ORSINI'S ACCUSATION THAT "TWO AMERICANS IN ORDINARY CLOTHES ARRESTED (HIM)" PRESUMABLY REFERS TO DCM DAVIS AND SAC TRYAL WHO WERE PRESENT. OF COURSE NEITHER DAVIS NOR TRYAL HAD AUTHORITY NOR DID THEY PARTICIPATE IN THE ARREST OF ORSINI. PLEASE CONFIRM THESE ASSUMPTIONS, IF CORRECT.

6. AS FAR AS FIELDS RECALLS, THERE WERE NO OTHER AMERICANS IN CONTACT WITH ORSINI UNTIL HE WAS DELIVERED INTO CUSTODY

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OF SA BOCCHICCIO ON AUGUST 25. IF THERE WERE ANY OTHER AMERICANS WHO CONTACTED ORSINI, PLEASE ADVISE DEPT AS TO NAMES, DATES AND PURPOSE OF CONTACT.

7. EMBASSY COMMENTS ON ORSINI AFFIDAVIT ASAP WILL BE GREATLY APPRECIATED.

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